

AFFIDAVIT

THE STATE OF TEXAS §
 §
COUNTY OF DALLAS §

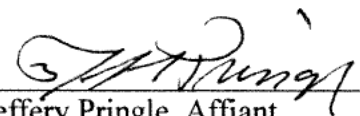
BEFORE ME, the undersigned authority, personally appeared Jeffery Pringle, known to me to be a credible person over the age of 18 years, who, being duly sworn by me, did depose and say that the following is true and correct:

“My name is Jeffery Pringle. I am of sound mind; capable of making this affidavit; and I am authorized to make this affidavit in the capacity herein stated. I am personally acquainted with the facts herein stated.

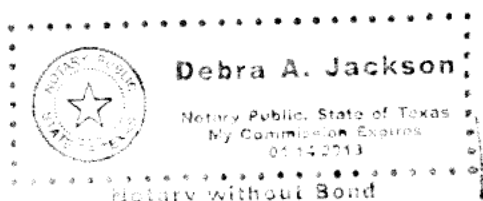
“I am employed as Warden for the Texas Department of Criminal Justice (“TDCJ”) Hutchins Unit located in Dallas, Texas, and do hereby certify that I am the custodian of records maintained in the regular course of business of the TDCJ.

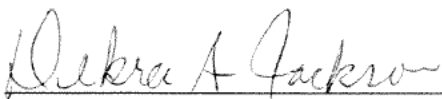
“I have reviewed the records you have requested; and hereby certify that the attached copies of documents are true and correct copies of the original records now on file in my custody. I further certify that the records attached hereto are maintained in the usual and regular course of business at the TDCJ. The entries made and/or documents created were created at or about the time of the occurrence, or reasonable soon thereafter, by an employee or representative of TDCJ with knowledge of the act, event, condition, opinion, or diagnosis reflected in the records, and that such records are maintained on each and every offender confined here.

“Attached are copies of the records requested consisting of 1053 pages and described as 1). Diagram of C7 Dorm, 2). Memo for ice process, 3). Temperature Readings from 12-17-2010 to 11-27-2012, 4). Accreditation Reports May 2010 and August 2007, 5) There are no Audio or Video Recordings, 6) Work Orders, 7) Heat Training Reviewed by Warden Pringle Prior to 7-22-11, 8) Manuals for Air Handlers, 9). Staff Identified as who Authorized Placement Location.


Jeffery Pringle, Affiant

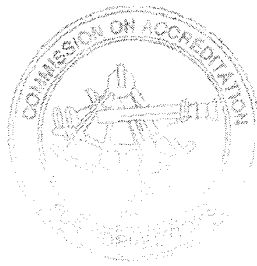
SWORN TO AND SUBSCRIBED BEFORE ME on December 13, 2012, by the said, Jeff Pringle to certify which, witness my hand and seal of office.




Notary Public in and for the State of Texas

American Correctional Association

ACCREDITATION REPORT



Commission on Accreditation for Corrections

TEXAS DEPARTMENT OF CRIMINAL JUSTICE
HUTCHINS UNIT
DALLAS, TEXAS

The mission of the Commission on Accreditation for Corrections is to upgrade and improve practices and conditions in adult and juvenile correctional facilities and programs through an accreditation process which is founded on a commitment to accountability, professionalism and respect for basic human rights and which recognizes sound and effective correctional practices, while striving towards excellence in the field of corrections.

American Correctional Association

206 NORTH WASHINGTON STREET ALEXANDRIA VA 22314

703.224.0000 FAX 703.224.0079

www.aca.org



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Executive Director

Congratulations on your accreditation award! You are now a member of the elite in achieving correctional excellence. The certificate you have received is but a small symbol of the enormous dedication and commitment demonstrated by each and every member of your staff to the accreditation process, and I urge you to display it prominently as a continual reminder of the level of professionalism achieved. This is just the beginning of your journey, however, for the true test of excellence is the test of time. It is critical that your operation be able to sustain this achievement over time and be constant through both prosperity and adversity.

The logo of the Commission on Accreditation for Corrections depicts a sextant. Those who chose this symbol did so because "the sextant is an instrument used by a navigator to pinpoint the location of his ship in relation to the established points of reference in the universe, with the purpose of charting his future course." This is the exact purpose of accreditation; objectively reviewing an agency or facility and giving it a goal for which to strive, a destination to reach. Accreditation is the sextant for our profession; let it be your guide as well.

Thank you for your commitment to the American Correctional Association and the standards and accreditation process.

Kathy Black-Dennis, Director
Standards and Accreditation
American Correctional Association

Overview of the American Correctional Association

The American Correctional Association is the oldest and most prestigious correctional membership organization in the United States. Founded in 1870, ACA currently represents more than 20,000 correctional practitioners in the United States and Canada. Members include all levels of staff from a wide variety of correctional disciplines and programs as well as professionals in allied fields and representatives from the general public. In addition, the Association represents the interests of 74 affiliated organizations whose goals, while similar to those of ACA, focus on specialized fields and concerns within the realm of corrections.

At its first organizational meeting held in Cincinnati, Ohio, in 1870, the Association elected then-Ohio governor and future U.S. President, Rutherford B. Hayes, as its first president. The *Declaration of Principles* developed at that first meeting became the guidelines for correctional goals in both the United States and Europe.

Since that time, ACA has continued to take a leadership role in corrections and work toward a unified voice in correctional policy. In recent years, one of the Association's major goals has been the development of national correctional policies and resolutions of significant issues in corrections. These policies are considered for ratification at the Association's two annual conferences and ratified policies are then disseminated to the field and other interested groups. ACA has also had a major role in designing and implementing professional standards for correctional practices, as well as methods for measuring compliance with those standards.

The Association conducts research and evaluation activities, provides training and technical assistance, and carries out the regular responsibilities of any professional membership organization, including a full publications program. The Association's two annual conferences, held in varying cities across the nation, attract more than 5,000 delegates and participants each year from the 50 states, U.S. territories, and several foreign countries.

Membership in ACA is open to any individual, agency, or organization interested in the improvement of corrections and the purposes and objectives of the Association. Members include the majority of state, local, provincial, and territorial correctional agencies; individual correctional institutions and local jails, pretrial programs and agencies, schools of criminal justice in colleges and universities, libraries; and various probation, parole, and correctional agencies. Most of ACA's members are employed at the federal, state, and local levels. Members also include more than 200 volunteers affiliated with these agencies as administrators or as members of advisory boards and committees.

Organizational Purposes of the American Correctional Association

Among the most significant purposes of the Association as outlined in its Constitution, are:

To promote the coordination of correctional organizations, agencies, programs, and services to reduce fragmentation and duplication of effort and increase the efficiency of correctional services on a national basis.

To develop and maintain liaisons and a close working relationship in America with national, regional, state, and local associations and agencies in the correctional, criminal justice, civic, and related fields for mutual assistance and the interchange of ideas and information, and to extend and strengthen cooperative working relationships with similar associations and agencies on the international level.

To develop and promote effective standards for the care, custody, training, and treatment of offenders in all age groups and all areas of the correctional field: detention facilities and services, institutions and other facilities for juvenile and adult offenders, probation, parole, community residential centers, and other community-based programs and services.

To conduct studies, surveys, and program evaluations in the correctional field, and provide technical assistance to correctional organizations, departments, institutions, and services.

To publish and distribute journals and other professional materials dealing with all types of correctional activities.

To promote the professional development of correctional staff at all levels.

In carrying out these purposes, ACA sponsors programs for policy analysis, demonstration, and research. ACA also provides testimony, consultation, publications, conferences, workshops, and other activities designed to stimulate constructive action regarding correctional problems.

Standard and Accreditation

Perhaps ACA'S greatest influence has been the development of national standards and the accreditation process. ACA standards address services, programs, and operations essential to effective correctional management. Through accreditation, an agency is able to maintain a balance between protecting the public and providing an environment that safeguards the life, health, and safety of staff and offenders. Standards set by ACA reflect practical up-to-date policies and procedures and function as a management tool for over 1,500 correctional agencies in the United States.

Organizational Structure of the American Correctional Association

Executive Committee

The Executive Committee is composed of the elected officers of the Association - president, vice president, treasurer, two Board of Governors' members, the immediate past president, the president-elect, and the ACA executive director. The Executive Committee meets at least quarterly and exercises most of the powers of the Board of Governors during the intervals between meetings of the board.

Board of Governors

ACA's bylaws vest control of the Association with an 18-member elected Board of Governors composed of the officers of the Association and five at-large members. To ensure the interdisciplinary nature of the Association, board members must represent the following areas:

At-Large Citizen (not employed in corrections)	Community Programs (Adult)
Correctional Administration (Adult)	Community Programs (Juvenile)
Correctional Administration (Juvenile)	Aftercare or Post-Release Supervision (Juvenile)
Institutions (Adult)	Detention (Adult)
Institutions (Juvenile)	Detention (Juvenile)
Probation (Adult)	At-Large (Ethnic Minority) (3)
Probation (Juvenile)	Education
Parole or Post-Release Supervision (Adult)	Member At-Large

Delegate Assembly

The Delegate Assembly is composed of delegates from the professional affiliates, geographical chapters, membership at-large, Board of Governors, past presidents of ACA, and representatives of each military service. The Delegate Assembly can establish policy, define Association positions on broad social and professional issues, and determine major programs and legislative priorities. They meet at least twice annually, at the Winter Conference and Congress of Correction.

Committees

The majority of the Association's activities take place through committees. Each committee chair reports to the Association's Board of Governors at least twice a year. In this way, the Association collectively benefits from the involvement and contribution of the hundreds of individuals who function on the various committees. Ad-hoc committees are appointed by the president of the Association.

The current committees and councils are:

Committee on Affirmative Action

Committee on Constitution and Bylaws

Committee on International Relations	Council on Professional Education
Committee on Congress Program Planning	Credentials Committee
Committee on Legal Issues	Research Council
Committee on Correctional Awards	Eligibility Committee
Committee on Membership	Resolutions & Policy Development
Committee on Military Affairs	Comm
Council of Professional Affiliates	Committee on Ethics
Council of Dual-Membership Chapters and	Standards Committee
State and Geographical Affiliates	Legislative Affairs Committee
Nominating Committee	

Affiliates and Chapters

Affiliates and state chapters are major features of the Association's structure. They represent professional, regional, and state groups across the United States and Canada. Affiliates and chapters contribute to the professional development of all members by providing consultation in their respective areas of interest and by participating in seminars and workshops at ACA's annual conferences.

The following affiliates and chapters are currently associated with ACA:

Alabama Council on Crime and Delinquency	National Association of Adult and Juvenile
Alston Wilkes Society	State
American Assn for Correctional Psychology	Corrections Mental Health Directors
American Correctional Chaplains Association	National Assn of Blacks in Criminal Justice
American Correctional Food Service	National Association of Juvenile Corrl
Association	Agencies
American Correctional Health Services Assn	Oregon Criminal Justice Association
American Institute of Architects	Parole and Probation Compact
American Jail Association	Administrators Association
American Probation and Parole Association	Pennsylvania Assn of Probation, Parole, and
Arizona Probation, Parole, and Corrs Assn	Corrections
Association for Corrl Research and Info Mgmt	Prison Fellowship
Assn of Paroling Authorities, International	South Carolina Correctional Association
Assn of State Correctional Administrators	Tennessee Corrections Association
Assn of Women Executives in Corrections	Association on Programs for Female
International Assn of Correctional Officers	Offenders
Iowa Corrections Association	Central States Correctional Association
Juvenile Justice Trainers Association	Colorado Correctional Association
Kansas Correctional Association	Connecticut Criminal Justice Association
Kentucky Council on Crime and Delinquency	Correctional Association of Massachusetts
Louisiana Correctional Association	Correctional Accreditation Managers Assn
Maryland Criminal Justice Association	Correctional Education Association
Michigan Corrections Association	Correctional Industries Association
Middle Atlantic States Correctional	Family and Corrections Network
Association	Florida Council on Crime and Delinquency
Minnesota Corrections Association	Illinois Correctional Association
Missouri Corrections Association	Indiana Correctional Association

International Assn of Corrl Training Personnel	North American Association of Wardens & Superintendents
International Community Corrections Assn	North Carolina Correctional Association
National Association of Probation Executives	Ohio Correctional and Court Svcs Association
National Coalition for Mental and Substance Abuse Health Care in the Justice System	Texas Corrections Association
National Correctional Recreation Association	The Salvation Army
National Council on Crime and Delinquency	Utah Correctional Association
Nation Juvenile Detention Association	Virginia Correctional Association
Nebraska Correctional Association	Volunteers of America
Nevada Correctional Association	Washington Correctional Association
New Jersey Chapter Association	Wisconsin Correctional Association
New Mexico Correctional Association	
New York Corrections and Youth Svcs Assn	

Major Activities of the American Correctional Association

Legislation

The American Correctional Association is involved with all major issues affecting corrections today. Members and ACA staff maintain close working relationships with committees of the U.S. Congress and all federal agencies and groups whose decisions affect correctional policy. Expert testimony on a wide range of correctional issues is prepared for congressional committee and subcommittee hearings, and recommendations are provided to federal administrative agencies.

To ensure that the concerns and issues of the corrections profession are represented in proposed legislation and public policy, ACA's legislative liaison is addressing legislative and government concerns that will impact the corrections profession. ACA has established partnerships between chapters and affiliates and other national policy making organizations to present a strong collective voice for correctional reform throughout the world.

Professional Development

The purpose of the Association's Professional Development Department is to plan, promote, and coordinate professional development through training seminars, workshops, and published materials including curriculums, resource guides, and monographs.

ACA's training plan calls for a variety of professional development activities. Nationally advertised workshops cover topics such as training for trainers, management training, community-based employment programs, and stress management. On-site workshops for state and local departments of corrections are offered in curriculum development, supervision, communications, and report-writing skills.

The *Training for Correctional Staff Trainers* workshops further the skills of correctional professionals qualified to initiate and deliver training. These workshops also enable agencies to comply with national standards for accreditation and ensure that training is job-related and professionally developed and presented.

The department also offers correspondence courses to further professional development. More than 6,000 correctional personnel have completed or are in the process of completing ACA's self-instruction training program for correctional officers. This program, developed under the auspices of the National Institute of Corrections, provides 40 hours of basic training in accordance with ACA standards. A score of at least 80 percent on the comprehensive examination must be attained to achieve certification.

The Association has similar courses available for correctional supervisors, juvenile caseworkers, and food service employees. Additional courses which cover report writing skills, correctional management skills, legal issues for probation and parole officers, and legal issues for correctional officers are also available.

Publications

As one of the leading publishers of practical correctional publications, ACA produces books, videos, and lesson plans. Among the wide ranging subjects available are management, community, security, counseling, law, history, and health. These excellent resources for career advancement appeal to practitioners and scholars alike. Directories for every major sector of corrections are also published by ACA.

The following is just a few of the many publications that ACA offers:

Corrections Today is the major corrections magazine in the United States. Published seven times a year, it focuses on the interests of the professional correctional employee and administrator. Articles include reports of original research, experiences from the field, discussion of public policy, and the perspectives of prominent practitioners and academicians.

On the Line is published five times a year and contains national and local news of interest to the criminal justice professional.

Corrections Compendium Newsletter publishes cutting-edge information about the corrections environment. Survey information is compiled from 52 U.S. and 14 Canadian correctional systems.

The Juvenile and Adult Directory has been published since 1939. A revised edition of the directory is released each January. This publication is the only up-to-date, comprehensive directory of all U.S. and Canadian juvenile and adult correctional departments, institutions, agencies, and paroling authorities.

The National Jail and Adult Detention Directory was first published in 1978. It is a source of information concerning jails. The directory, published every two years, attempts to list all jails in the United States that house offenders or detainees for more than 48 hours.

The Probation and Parole Directory, updated every two years, provides over 500 pages of information regarding federal, state, and county adult and juvenile probation, parole and aftercare systems in the United States. It includes statistics on caseloads, expenditures, and personnel.

The State of Corrections, formerly *The Proceedings*, includes the events of both the Congress of Correction and the Winter Conference. Published since 1870, it includes selected speeches and panel presentations concerning the latest thoughts and practices in the criminal justice field.

Correctional standards are the most significant improvement in correctional programming. As the basis for accreditation, they give administrators a nationally recognized system for upgrading and improving their correctional services. The Association currently publishes over 20 manuals for every correctional discipline.

To aid in the development of policy with relation to accreditation, *Guidelines for the Development of Policies and Procedures* are available for adult correctional institutions, adult parole authorities/adult probation and parole field services, adult local detention facilities, adult community residential services, juvenile detention facilities, and juvenile training schools.

Conventions

ACA hosts two national conventions each year that attract more than 5,000 professionals from all aspects of corrections; the Winter Conference held in January, and the Congress of Correction, held in August. These events include a variety of workshops, exhibits, and seminars devoted to addressing topics specific to the corrections profession.

Contracts and Grants

The American Correctional Association has a history of successful grant and contract management and administration. ACA has completed contracts and grants of more than \$30 million. These diverse initiatives, which are funded through federal and private sources, add to the technical expertise and knowledge of the organization as well as to the total field of corrections.

Standards and Accreditation

Perhaps ACA's greatest influence has been the development of national standards and the accreditation process. ACA standards address services, programs, and operations essential to effective correctional management. Through accreditation, an agency is able to maintain a balance between protecting the public and providing an environment that safeguards the life, health, and safety of staff and offenders. Standards set by ACA reflect practical up-to-date policies and procedures and function as a management tool for over 1,200 correctional agencies in the United States.

Overview of the Commission on Accreditation for Corrections

The Commission on Accreditation for Corrections (CAC) is a private, nonprofit organization established in 1974 with the dual purpose of developing comprehensive, national standards for corrections and implementing a voluntary program of accreditation to measure compliance with those standards.

The Commission was originally developed as part of the American Correctional Association. In 1979, by joint agreement, the Commission separated from the Association in order to independently administer the accreditation program. Between 1978 and 1986, the organizations shared the responsibility for developing and approving standards and electing members of the Commission. On November 7, 1986, the Commission on Accreditation for Corrections officially realigned itself with the American Correctional Association.

The Commission meets at least twice each year. The responsibility of rendering accreditation decisions rests solely with this board. The members of the Commission represent the full range of adult and juvenile corrections and the criminal justice system. They are elected from the following categories:

- National Association of Juvenile Correctional Agencies (1 representative)
- Council of Juvenile Correctional Administrators (1 representative)
- Association of State Correctional Administrators (2 representatives)
- National Sheriffs' Association (2 representatives)
- American Jail Association (1 representative)
- North American Association of Wardens and Superintendents (1 representative)
- International Community Corrections Association (1 representative)
- American Probation and Parole Association (1 representative)
- Association of Paroling Authorities International (1 representative)
- National Juvenile Detention Association (1 representative)
- American Bar Association (1 representative)
- American Institute of Architects (1 representative)
- National Association of Counties (1 representative)
- Correctional Health (Physician) (1 representative)
- Juvenile Probation/Aftercare (1 representative)
- Adult Probation/Parole (1 representative)
- At-Large (17 representatives)
- Citizen At-Large (Not in Corrections) (1 representative)

Association Staff

Accreditation activities are supported by the staff of the American Correctional Association, Standards and Accreditation Department, under the leadership of the director of the department. Standards and Accreditation Department staff is responsible for the daily operation of the accreditation program. Agencies in the process have contact primarily with the accreditation specialist responsible for their state or agency.

Auditors

Over 600 corrections professionals in the United States have been selected, trained, and employed on a contract basis by the Association. These individuals perform the field work for the Association which includes providing assistance to agencies working toward accreditation, conducting on-site audits of agencies to assess compliance with standards and confirming that requirements are met, and monitoring to ensure maintenance of the conditions required for accreditation. Teams of auditors, referred to as visiting committees or audit teams, are formed to conduct standards compliance audits of agencies seeking accreditation and reaccreditation.

Auditors are recruited nationally through announcements in prominent criminal justice publications and at major correctional meetings. Affirmative action and equal employment opportunity requirements and guidelines are followed in the recruitment of auditors. All auditors employed by the Association have a minimum of three years of responsible management experience, have received a recommendation from an agency administrator, and have demonstrated knowledge in the substantive area(s) in which they are employed to assist the Association. In addition, all auditors must successfully complete the Association's auditor training and be members of the ACA in good standing.

Standards Development

Development of the ACA standards began in 1974 with an extensive program of drafting, field testing, revising, and approving standards for application to all areas of corrections. Since then, over 1,200 correctional facilities and programs have adopted the standards for implementation through accreditation, and many others have applied the standards informally themselves.

In the development of standards, the goal was to prescribe the best possible practices that could be achieved in the United States today, while being both realistic and practical. Steps were taken to ensure that the standards would be representative of past standards development efforts, reflect the best judgment of corrections professionals regarding good corrections practice, recognize current case law, and be clear, relevant, and comprehensive. The standards development and approval process has involved participation by a wide range of concerned individuals and organizations. Twenty-three manuals of standards are now used in the accreditation process:

Standards for the Administration of Correctional Agencies
Standards for Adult Parole Authorities
Standards for Adult Probation and Parole Field Services
Standards for Adult Correctional Institutions
Standards for Adult Local Detention Facilities
Standards for Small Jail Facilities
Standards for Electronic Monitoring Programs
Standards for Adult Community Residential Services
Standards for Adult Correctional Boot Camps
Standards for Correctional Industries
Standards for Core Jails

Standards for Correctional Training Academies
Standards for Juvenile Community Residential Facilities
Standards for Correctional Facilities
Standards for Juvenile Detention Facilities
Standards for Juvenile Day Treatment Programs
Standards for Juvenile Correctional Boot Camps
Standards for Therapeutic Communities
Standards for Small Juvenile Detention Facilities
Standards for Performance-Based Health Care in Adult Correctional Institutions
Certification Standards for Health Care Programs
Standards for Adult Correctional Institutions (in Spanish)

The standards establish clear goals and objectives critical to the provision of constitutional and humane correctional programs and services. The standards include the requirement for practices to promote sound administration and fiscal controls, an adequate physical plant, adherence to legal criteria and provision of basic services. Basic services called for by the standards include the establishment of a functional physical plant, training of staff, adoption of sanitation and safety minimums, and provision of a safe and secure living environment. In offering specific guidelines for facility and program operations, the manuals of standards address due process and discipline, including access to the courts, mail and visitation, searches, and conditions of confinement of special management offenders.

The standards are systematically revised to keep pace with the evolution of different correctional practices, case law, and after careful examination of experiences, applying them over a period of time and circumstances. The ACA Standards Committee, which includes membership from the Commission on Accreditation for Corrections, is responsible for standards development and revision.

The ACA publishes biannual supplement to the standards with updated information and clarifications until new editions of standards manuals are published. Each supplement addresses standards interpretations, deletions, revisions, and additions for all manuals of standards issued by the Standards and Accreditation Department.

Suggestions and proposals for revisions to the standards from the field and interested others are encouraged. The Standards and Accreditation Department has developed a standards proposal form specifically for this purpose. The standards proposal form can be obtained from the Standards Supplement, the ACA website, or Standards and Accreditation Department staff (Appendix A). Proposals should be submitted via the ACA website.

Accreditation Process Descriptions

For over 120 years, the American Correctional Association has been the only national body involved in the development of standards for the correctional field. ACA standards are supported by ACA's Standards and Accreditation Department and the Commission on Accreditation for Corrections, which is the evaluating and certifying body for accreditation. The department is responsible for the administration of accreditation and ongoing development of correctional standards.

The accreditation process is a voluntary program for all types of correctional agencies. For these agencies, accreditation offers the opportunity to evaluate their operations against national standards, to remedy deficiencies, and to upgrade the quality of programs and services. The recognized benefits of such a process include: improved management; a defense against lawsuits through documentation; demonstration of a "good faith" effort to improve conditions of confinement; increased accountability and enhanced public credibility for administrative and line staff; a safer and more humane environment for personnel and offenders; and the establishment of measurable criteria for upgrading programs, staffing, and physical plant on a continuous basis.

A major component of the accreditation process is the standards compliance audit conducted by a visiting committee. The purpose of the audit is to measure operations against the standards, based on documentation provided by the agency.

The Visiting Committee Report

The results of the standards compliance audit are contained in the visiting committee report, a document prepared by the visiting committee chairperson. The report is distributed to the agency administrator and members of the visiting committee. This report is also submitted to the Commission on Accreditation for Corrections for consideration at the accreditation hearing.

The following information is usually contained in the visiting committee report:

Agency and Audit Narrative

The agency narrative includes a description of program services, a description of physical plant, number of offenders served on the days of the audit, a summary significant incidents and consent decrees, class action lawsuits and/or judgments against the agency/facility, if applicable. The audit narrative, prepared by the visiting committee chairperson, describes audit activities and findings. The narrative examines issues or concerns that may affect the quality of life and services in an agency or facility. Quality of life issues include areas such as staff training, adequacy of medical service, sanitation, use of segregation and detention, reported and/or documented incidences of violence and crowding in institutions, offender activity levels, programming and provision of basic services. The audit narrative also contains comments as a result of staff and offender interviews, and a detailed explanation of all noncompliant and not applicable standards.

Agency Response

The agency has three options for standards found in noncompliance: a plan of action; an appeal; or a waiver request.

A **plan of action** is a detailed statement of tasks to be performed in order to achieve compliance with a standard found in noncompliance at the time of the audit. The plan of action designates staff responsibilities and timetables for completion.

An **appeal** is the agency's attempt to change the visiting committee's decision on a standard. The result of a successful appeal is a change in the status of the standard and a recalculation of the compliance tally.

A **waiver** may be requested when noncompliance with a standard does not adversely affect the life, health, or safety of staff and offenders and when quality of life conditions compensate for the lack of implementation of a plan of action. The granting of a waiver by the Commission waives the requirement for submitting a plan of action; however, it does not change the noncompliant finding.

A **discretionary compliance request** is when there are circumstances in which agencies choose not to comply with a particular standard for a variety of reasons. These reasons include:

- An unwillingness to request funds from a parent agency or funding source.
- A preference to satisfy the standard/expected practice's intent in an alternative fashion.
- An objection from a parent agency, higher level government official or funding source to the nature of the standard/expected practice.
- A clear policy in place at a higher level that is contrary to the requirements of the standard/expected practice.
- An existing provision in a collective bargaining agreement that makes compliance impossible (without bargaining with the employees' union to effect such a change).

Auditor's Response

This section contains the visiting committee's final reply to all responses received from the agency and includes comments regarding the acceptability of plans of action, appeals, and waivers.

Accreditation Hearings

The Commission on Accreditation for Corrections is solely responsible for rendering accreditation decisions and considers an agency's application at its next regular meeting following completion of the visiting committee report. The Commission is divided into panels that are empowered to reach and render accreditation decisions. These panels hear the individual application for accreditation and include a quorum of at least three Commissioners which includes the panel hearing chairperson. Agencies are notified in writing of the date, time, and location of the hearings by Standards and Accreditation Department Staff.

The panel hearing is the last step in the process. With the panel chairperson presiding, panel members discuss issues and raise questions relative to all aspects of agency operations and participation in the process. The information presented during the hearing and in the visiting committee report is considered by the panel members in rendering accreditation decisions.

The agency is invited to have a representative at the hearing and, in most cases, one or more individuals attend. When special conditions warrant, the visiting committee chairperson or a member of the visiting committee also may be asked to attend the hearings. When this occurs, the auditor provides information to help clarify controversial issues and responds to questions and concerns posed by panel members.

Attendance by any other parties (i.e. media representatives, public officials, or personnel from agencies other than the applicant) occurs only with the permission of the applicant agency. In these cases, the applicant agency representatives and panel members discuss procedures to be followed before commencement of the hearing.

Conduct of Hearings

The panel schedule provides ample time for review of each individual agency pursuing accreditation. Hearings are conducted by the panel chairperson in accordance with established procedures. Panel proceedings require that a formal vote be taken on all final actions, i.e., agency appeals, waiver requests, and the final accreditation decision of the Commission. All panel proceedings are tape-recorded to assist in preparing minutes of the hearings. Panel activities generally occur as follows:

- Applicant agency representatives are requested by Standards and Accreditation Department staff to be on-call to allow for scheduling flexibility.
- A designated waiting area is usually provided for this purpose.
- When the panel is ready to review the agency, the Standards and Accreditation Department staff representative notifies agency representative(s).
- The hearing opens with an introduction by the panel chairperson.

- The agency representative is asked to give a brief description of the program.
- If a visiting committee member is present at the hearing, the panel chairperson may request that the auditor present an account of the visit, focusing on matters particularly pertinent to the decision or specific panel actions. In some cases, however, the panel may wish to call on the visiting committee member only to request additional information at different points during the hearing.
- The panel chairperson leads a standard by standard review of non-compliance issues. The agency representative presents information relative to their request for waivers, plans of action, appeals, and discretionary compliance requests. The agency may also present additional materials, including photographs or documentation, for review by the panel.
- Following the agency presentation, the chairperson has the option of calling the panel into executive session to consider the information provided, determine findings, and make an accreditation decision. Whether or not panel deliberations occur in the presence of agency personnel or in executive session varies from panel to panel, considering the preference of panel members and the sensitivity of issues to be discussed regarding the application.

In final deliberations, the Commission panel:

- Ensures compliance with all mandatory standards and at least 90 percent of all other standards.
- Responds with a formal vote to all appeals submitted by the applicant agency.
- Responds with a formal vote to all request for waivers, discretionary compliance, and plans of action submitted by the applicant agency.

At this time, the panel also:

- Assures that an acceptable plan of action will be submitted for every non-compliant standard, including those standards for which appeals of non-compliance and waiver requests have been denied by the panel. In judging the acceptability of plans of action, the panel ensures that all of the information requested on the form is provided. Furthermore, the feasibility of plans to achieve compliance is considered, including specific tasks, time frames, and resource availability (staff and funding) for implementing proposed remedies.
- Addresses to its satisfaction any concerns it has with visiting committee comments about the quality of life in the facility or program, patterns of

non-compliance, or any other conditions reviewed by the panel relating to the life, health, and safety of residents and staff.

For each application, a roll call vote to award accreditation, extend an agency in Candidate or Correspondent Status, or deny accreditation is conducted. The options for final action available to the panel are outlined in the next chapter.

If the panel has deliberated in executive session, agency representatives are invited back into the meeting and informed of the panel's final decision and actions or recommendations on all other issues raised by the applicant. If accreditation has not been granted, the chairperson discusses with agency personnel specific reasons for the decision and the conditions of extension in Candidate or Correspondent Status and procedures for appeal.

Accreditation Decisions

Three decisions relative to the accreditation of an agency are available to panels:

- *Three-year accreditation award* based on sufficient compliance with standards, acceptance of adequate plans of action for all non-compliant standards and satisfaction of any other life, health, and safety conditions established by the panel. The balance of the contract must be paid in full in order to receive a certificate of accreditation.
- *Extension of the applicant agency in Candidate Status* (initial accreditation only) for reasons of insufficient standards compliance, inadequate plans of action, or failure to meet other requirements as determined by the panel. The Commission may stipulate additional requirements for accreditation if, in its opinion, conditions exist in the facility or program that adversely affect the life, health, or safety of the offenders or staff. Extension of an applicant in Candidate Status is for period of time specified by the panel and for identified deficiencies if in the panel's judgment, the agency is actively pursuing compliance.
- *Probationary Status* is determined when the panel specifies that compliance levels are marginal, there is a significant decrease in compliance from the previous audit (in the case of reaccreditation), or there are quality of life issues that would indicate continued monitoring. While an award of accreditation is granted, a monitoring visit must be completed and the report presented at the next meeting of the Commission. The cost for a monitoring visit is borne by the agency at a rate of cost plus 25%. The agency does not have to appear before the Commission for the review of the monitoring visit report. If they choose to do so, all related travel expenses are borne by the agency. Specific expectations for removal from probation are outlined.
- *Denial of accreditation* removes the agency from Accredited Status (in the case of reaccreditation) and withdraws the agency from the accreditation program. Situations such as insufficient standards compliance, inadequate plans of action, failure to meet other requirements as determined by the

panel or quality of life issues may lead to the denial of accreditation, it is withdrawn from the process and is not eligible to re-apply (as an applicant) for accreditation status for a minimum of six months from the date of that panel hearing. The Commission will explain the process for appeal.

The agency receives written notification of all decisions relative to accreditation after the hearing.

Appeal Process

The accreditation process includes an appeal procedure to ensure the equity, fairness, and reliability of its decisions, particularly those that constitute either denial or withdrawal of Accredited Status. Therefore, an agency may submit an appeal of any denial or withdrawal of accreditation.

The basis for reconsideration is based on grounds that the decision(s) were:

- Arbitrary, capricious, or otherwise in substantial disregard of the criteria and/or procedures promulgated by the Commission.
- Based on incorrect facts or an incorrect interpretation of facts.
- Unsupported by substantial evidence.
- Based on information that is no longer accurate.

The reasonableness of the standards, criteria, and/or procedures for the process may not serve as the basis for reconsideration. The procedures for reconsideration are as follows:

- The agency submits written request for reconsideration to the Director of Standards within 30 days of the adverse decision stating the basis for the request.
- The Executive Committee of the Commission, composed of the officers of the Commission, reviews the request and decides whether or not the agency's request presents sufficient evidence to warrant a reconsideration hearing before the Commission. The agency is notified in writing of the Executive Committee's decision.
- If the decision is made to conduct a hearing, the hearing is scheduled for the next full Commission meeting and the agency is notified of the date.
- The agency, at its option and expense, has the right of representation, including counsel.
- Following the hearing held before the Commission, the decision, reflecting a majority opinion, is made known to the agency immediately.

- Pending completion of the reconsideration process, the agency maintains its prior status. Until a final decision has been reached, all public statements concerning the agency's accredited status are withheld.
- Following completion of the reconsideration process, any change in the status of an agency is reflected in the next regularly published list of accredited agencies.

Accredited Status

The accreditation period is three years, during which time the agency must maintain the level of standards compliance achieved during the audit and work towards compliance of those standards found in non-compliance. Regular contact with Standards and Accreditation Department staff should also be maintained.

Annual Report

During the three year accreditation period, the agency submits an annual report to the Standards and Accreditation Department. This statement is due on the anniversary of the accreditation (panel hearing) date and contains the following information:

Current standards compliance levels – This includes any changes in standards compliance since accreditation, listing on a standard-by-standard basis any standard with which the agency has fallen out of compliance or achieved compliance.

Update of plans of action – A progress report is included with respect to plans of action submitted to the hearing panel, indicating completion of plans resulting in compliance with standards and revised plans reflecting the need for additional time, funds, and/or resources to achieve compliance.

Significant Events- A report is made of events and occurrences at the agency during the preceding year that impact on standards compliance, agency operation, or the quality of services provided by the agency. This might include:

- A change in the agency administration and/or major staffing changes mission change or program revisions.
- Mission change or program revisions.
- Changes in the offender population, including number of offenders or general offender profile.
- Physical plant renovations, additions, or closing.
- Any major disturbances, such as extended periods or lock-down, employee work stoppages, etc.
- Any significant incident to include allegations of physical/sexual abuse.
- A death from other than natural causes.

Standards and Accreditation Department staff review the annual report received from the agency and respond to clarity issues or request additional information if necessary.

In addition to submission of the annual report, the agency is responsible for notifying Standards and Accreditation Department staff of any major incident, event, or circumstances

that might affect standards compliance. This notice must be provided to the Standards and Accreditation Department immediately following the event. For example, an agency must notify the Standards and Accreditation Department if it is the subject of a court order, has a major disturbance, escape, physical/sexual abuse (to include allegations), employee work stoppage, death from unnatural causes, or experiences a major fire or other disaster. It is the responsibility of the accredited agency to inform Standards and Accreditation Department staff or provide them with copies of news articles, special reports, or results of investigations that address conditions that affect standards compliance.

Finally, the Standards and Accreditation Department may request that the agency respond to public criticism, notoriety, or patterns of complaint about agency activity that suggests failure to maintain standards compliance. The Standards and Accreditation Department may conduct an on-site monitoring visit to the agency to verify continued compliance.

Monitoring Visits

Monitoring visits to agencies in Accredited Status are conducted by an ACA auditor(s) in order to assess continuing compliance with the standards. A monitoring visit may be conducted at anytime during the accreditation period, with advance notice to the agency. The determination of need for a monitoring visit is based on:

- Compliance levels, findings, and recommendations by the Commission on Accreditation for Corrections during the hearing.
- Incidents or events reported by the agency in its annual report.
- Problems indicated by adverse media reports or correspondence received by Standards and Accreditation Department staff, disturbances at the agency, or special investigations.

The length of the visit varies depending on the number of standards or special issues that must be addressed during the visit. The visits are conducted similar to standards compliance audits, but on a reduced scale. Monitoring visits are charged to the agency at a rate of cost plus twenty-five percent.

Activities, as a general rule, involve a review of all mandatory standards, all standards found in non-compliance at the time of accreditation, and any other concerns identified by the Commission. The visit also involves a tour of the agency and interviews with staff and offenders to ensure maintenance of the requirements of accreditation. It concludes with an exit interview during which the auditor informs the agency staff of the findings of the visit.

Following the visit, the auditor prepares a monitoring visit report that addresses findings of the visit. The report includes a list of standards reviewed, explanation of non-compliance findings, results of the tour and interviews with agency staff and offenders, and discussion of any issues believed to be relevant to the agency's accreditation. The report, as with others prepared by auditors, is reviewed and sent to the agency by Standards and Accreditation staff.

When a monitoring visit to the agency reveals deficiencies in maintaining compliance levels that existed at the time of accreditation, or less than 100 percent compliance with mandatory standards, the agency prepares a response providing explanation of the problems indicated in the report. When the agency has failed to maintain compliance with all mandatory standards, the monitoring visit report and the agency response are submitted to the Commission on Accreditation for Corrections for review during a regular hearing. Agency representatives are advised of the date, time, and location of the review, and are invited to attend. At the discretion of the Commission, the agency may be placed in probationary status and a revisit conducted to determine if deficiencies have been corrected.

Revocation of Accreditation

If the Commission panel believes that an agency's failure to maintain continuous compliance with certain standards is detrimental to life, health, and safety of residents and staff, the Commission may place an agency on probation. Probationary status last for a specific period of time designated by the Commission at its next regularly scheduled meeting.

The Commission again reviews the program and considers removing the probationary status or revoking accreditation. When the agency corrects the deficiencies within the probationary status period and the corrections have been verified and accepted, the agency resumes its status as an accredited agency. An agency that does not satisfactorily correct the deficiencies may be withdrawn from accreditation.

Another condition that may result in a rehearing and consideration of revocation is following a significant event in an agency (i.e. major disturbance, death from other than natural causes or allegations of physical/sexual abuse of offenders). Failure to notify the Standards and Accreditation Department in a timely manner may result in suspension of the agency's accreditation. Once ACA is notified of the major event, the Director of Standards and Accreditation may consult with the Executive Committee of the Commission, who may request a monitoring visit. If a visit is warranted, ACA will notify the agency and a date will be established with the concurrence of the facility. The monitoring visit will take place within 14 days of this notification. The monitoring visit report will be sent to the Director of Standards within 7 days of the monitoring visit and then forwarded to the Executive Committee of the Commission. Following review of the report, a determination will be made by the Executive Committee as to whether revocation of accreditation is warranted. Prior to any rehearing, agency representatives will be notified, so that any issues may be addressed and responded to in writing.

Accreditation is revoked for the following reasons:

- Failure on the part of the agency to adhere to the provisions on the contract.
- Failure on the part of the agency to maintain continuous compliance with the standards at levels sufficient for accreditation.
- Intentional misrepresentation of facts, lack of good faith, or lack of deliberate speed or a concerted effort to progress in the accreditation process, including the implementation of plans of action.

- Failure to notify ACA of significant incidents in the annual report to the Commission.
- Adverse conditions of confinement that affect the life health, and/or safety of staff and offenders.
- Failure to comply with the conditions of probation or suspension.

Standards and Accreditation Department staff notify the agency in writing of the specific reasons identified by the Commission for the revocation hearing. Agencies may appeal the decision of the Executive Committee to the full board of the Commission on Accreditation for Corrections. Appeals must be submitted within 30 days. The agency may apply to re-enter the process 180 days after the revocation of accreditation.

Expiration of Accredited Status

Accreditation is granted for a three year period. Unless the agency has applied for reaccreditation and completed activities in the process required for reaccreditation, the Commission withdraws the agency from Accreditation Status after this three year period.

For agencies in Accredited Status that are seeking subsequent accreditation, administrative extensions of Accredited Status may be granted under certain conditions. For example, relocation of the facility, staff turnover, and major renovations often warrant an extension. In these cases, a written request to the Director of Standards and Accreditation is required, outlining the reasons for extending the accreditation period. Agencies that fail to successfully complete an audit within the three year period, or do not receive an extension prior to their expiration date, are withdrawn from Accredited Status.



Visiting Committee Report and Hearing Minutes

CONFIDENTIALITY

The American Correctional Association and the Commission on Accreditation for Corrections do not disclose to external parties specific information contained in this Accreditation Report or information discussed in the Accreditation Hearing. The Association encourages all participating agencies to provide information to the media about their accreditation activities, including disclosure of the Self-Evaluation and Accreditation Report.

**COMMISSION ON ACCREDITATION FOR CORRECTIONS
PANEL ACTION REPORT**

Doubletree Hotel
Columbus, Ohio

May 1, 2010

Texas Department of Criminal Justice
Hutchins Unit
Dallas, Texas

Agency Representatives:

Jackie Edwards, Director, ARRM Division
Rick Thaler, Director, CID Division
Keith Clendennen, Manager, Review and Standards
Craig Peters, Practice Manager, UTMB
Dan Mayer, Physician Review, Correctional
Managed Care UTMB

Panel Members:

Marge Webster, Chair
Denise Robinson
Angela Goehring
Kevin Myers

Staff:

Terri Jackson

Panel Action

Standard # 4-4062	The systemic waiver previously granted continued.
Standard # 4-4147-1	The request for a waiver was granted.
Standard # 4-4149	The request for a waiver was granted.
Standard # 4-4150	The request for discretionary compliance was granted.
Standard # 4-4270	The request for discretionary compliance was granted.

Prepared by Terri Jackson, Standards and Accreditation Specialist

Accreditation Panel Decision

Moved:	Commissioner Robinson
Seconded:	Commissioner Myers

Three-Year Accreditation:	Yes
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<u>Accreditation Vote</u>	<u>Yes</u>	<u>No</u>
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Commissioner Webster	✓	
Commissioner Robinson	✓	
Commissioner Goehring	✓	
Commissioner Myers	✓	

Final Tally

Mandatory	100%
Non-Mandatory	98.4%

**COMMISSION ON ACCREDITATION FOR CORRECTIONS
STANDARDS COMPLIANCE REACCREDITATION AUDIT**

Texas Department of Criminal Justice
Hutchins Unit
Dallas, Texas

January 11-13, 2010

VISITING COMMITTEE MEMBERS

Jim Curington, Chairperson
Correctional Consultant
10015 NW 52nd Terrace
Gainesville, Florida 32653
(352) 538-2636
jecjrboy@aol.com

Joe Costello
Correctional Consultant
7533 Fox Road
Holland Patent, New York 13354
(315) 269-4296
joedowneast@netzero.net

Fletcher Morgan
Correctional Consultant
805 New Hampton Way
Merritt Island, Florida 32953
(321) 537-5602
Fmorgan4@cfl.rr.com

A. Introduction

The re-accreditation audit of the Hutchins State Jail, Texas Department of Criminal Justice (TDCJ), Dallas, Texas was conducted on January 11-13, 2010, by the following team: James (Jim) Curington, Chairperson; Joe Costello, Member; and Fletcher Morgan, Member.

B. Facility Demographics

Rated Capacity: 2276

Actual Population: 2103 [1344 Jail Confinees (JC) and 759 TDCJ State Institutional Division Inmates (TF)]

Average Daily Population for the last 12 months: 2015

Average Length of Stay: 180 days

Security/Custody Level: Minimum

Age Range of Offenders: 18-70

Gender: Male

Full-Time Staff: 433

5 Administrative, 78 Support/Program, 287 Security, 23 Other, 40 Contract [University of Texas Medical Branch (UTMB) and Drug and Alcohol Program (DAAP)]

C. Facility Description

The Hutchins Unit State Jail Facility is one of 15 state jail facilities operated by the Texas Department of Criminal Justice (there are also four privately contracted state jail facilities under the auspices of TDCJ). Hutchins is a large minimum security all male facility with a maximum capacity of 2276.

The facility is located at 1500 Langdon Road, Dallas, Texas, 75241 about 12 miles south of downtown Dallas, TX. The facility itself is composed of ten large mostly metal buildings surrounded by a single inward curved perimeter fence with appropriate lighting and a security vehicle road. The Unit is in an industrial/government area (Sheriff Farm/Ranch and City Road/Transportation construction operation) on about 60 acres of land. Entrance to the facility is about 1 mile off Interstate Highway 20 (I-20) easily accessible by staff and visitors.

The mission of Hutchins State Jail is defined in its Mission Statement:

“The mission of the Hutchins State Jail is to accomplish the mission as set forth by the agency. That is to protect the public, to promote positive change in offender behavior, to reintegrate offenders into society and to assist victims of crime. This is to be accomplished by Successful Teamwork that includes Communication, Coordination, Cooperation, and Consideration among all staff members.”

D. Pre-Audit Meeting

The Audit Team was met on the afternoon of January 10, 2010, by staff and Warden Tina

Carmona at the Dallas/Fort Worth Airport and taken to the host hotel/motel in Mesquite, Texas about 15 miles from the facility. That evening, the Audit Team, the Warden, the Regional Accreditation Manager, the Health Director and the Chief of Security met for supper, casual greetings and exchange of information.

Later that evening, the Audit Team met to discuss the information provided by the Association staff and the officials from the Hutchins State Jail Facility.

The chairperson divided standards into the following groups:

Standards # 4-4001 - # 4-4169 to Chairperson, James Curington
Standards # 4-4170 - # 4-4343 to Member, Joe Costello
Standards # 4-4344 - # 4-4530 to Member, Fletcher Morgan

E. The Audit Process

1. Transportation

The team was escorted to and from the facility, hotel/motel in Mesquite, TX by Mr. Tim Ault, the Regional Monitoring and Standards Coordinator.

2. Entrance Interview

On Monday morning on arrival at the Hutchins Unit Mr. Ault escorted the Audit Team into the facility and to the Wardens office for a Pre-entrance meeting with Warden Tina Carmona, the Regional Director, Mr. Brian Rodeen and a few key staff. After short introductions and a brief review of the Agenda/Schedule, the team expressed the appreciation of the Association for the opportunity to be involved with Hutchins Unit State Jail in the accreditation process. Warden Carmona escorted the Audit Team to the facility's visiting park/meeting room where the formal entry meeting was held.

Each auditor introduced themselves, made encouraging remarks on the process and indicated which areas he would review. The warden recognized the staff attending. Thirty-nine staff introduced themselves and indicated their areas of expertise and responsibility.

The following persons were in attendance:

Tina Carmona, Senior Warden
May Terry, Major
Kyron Session, Building Captain
Steven Scott, Building Captain
Carol Cozart, Administrative Assistant II
Dale Hale, K Bld.
Chartle Burns, STG. Sgt.

Ardra Scott-Burger, Grievance
Tim Jones, Operational Review Sgt
William Whiddon, Food Service Manager, IV
Kimberly Moore, Coord. II Unit Supply/Property
L. Alaniz, Commissary
Tracy Murphy, Medical Practice Manager
Dr. Henry Clint Davis, Academic Principal/Education
Beverly Wilson, Administration Assistant III Mailroom Supervisor
Pamela Meshack, Case Manager III Classification
O. McGrady, Turning Point Dapp Program Supervisor
Deborah Johnson, ACA
S. Williams, Recreation
Larry Kines, Human Resources Specialist II
Roy Storie, Safety Officer I Risk Management
Jerry Pugh, PA II Unit Maint. Sup.
Gene Bartholf, Chaplain II
Gloria Miller, Admin. Assist. IV Intake
Capt. Skeens, Laundry
Michael Tutt, Community Service Lt.
Pandora Cauley, Law Library
Angie Buro, UTMB
Gilford Yonette, Medical
Mark Davis, UTMB Nursing
Joe Simentic, SMHM
K. Weer, Security
A. Muzgit, Armory
H L Wooten, Recreation
Frank L. Heinan, Dental
Kevin Brown, Security
Abbie Whitt, Inmate Records
Judy Nichols, 2nd. Shift
Sarino Mauro, Security

It was explained that the goal of the visiting team was to be as helpful and non-intrusive as possible during the conduct of the audit. The chairperson emphasized the goals of accreditation toward the efficiency and effectiveness of correctional systems throughout the United States. The audit schedule was also discussed at this time.

3. Facility Tour

The team toured the entire facility from approximately 8:30 a.m. to 2:30 p.m. The following persons accompanied the team on the tour and responded to the team's questions concerning facility operations:

Warden Tina Carmona

Major Terry May
Captain Kyron Session
ACA officer D. Johnson
Risk Manager Roy Storie
CO Judy Nichols
CO Sarina Mauro
Ms. Abbie Whitt
Regional Director Brian Rodeen
Regional Monitoring & Standards Coordinator, Tim Ault
TDCJ ACA Monitoring & Standards Director, Tommy Gattis
Assistant Regional Director, T.C. Hendrix
Assistant Regional Director, S. Bauer
Regional Risk Manager M. Parker

The Audit Team toured the following areas and ate the lunch meal with the inmate population. Areas toured: Mailroom, Human Resources, Count room, Offender Records, A-E dorms/recreation yards, Laundry, Commissary, Unit Supply, Dock area (kitchen and supply), Food Service, Dining Hall, Maintenance, Chapel, Intake/Receiving, K-building (segregation/solitary), Medical, G-Building (administrative offices/training, Education).

4. Conditions of Confinement/Quality of Life

During the tour, the team evaluated the conditions of confinement at the facility. The following narrative description of the relevant programmatic services and functional areas summarizes the findings regarding the quality of life.

Security

The Hutchins Unit is an all male minimum security facility surrounded by an inward curved "no climb" fence with two rolls of razor ribbon. There is an armed roving vehicle patrol 24/7. There are [REDACTED] closed circuit television cameras that monitor the [REDACTED] as well as [REDACTED] cameras monitoring [REDACTED] areas and [REDACTED] camera for [REDACTED]. All cameras are monitored in [REDACTED]. The Audit Team was present all three shifts and noted lighting and inmate supervision was/is appropriate. There are interior fences designed for offender movement. Dorms are all well secured with secured officer stations. Supervision of all movement is well maintained throughout the facility, in the dorms and on the central corridor/walkway of the Unit. Even with the large population and the various offender classifications, inmate supervision is noticeably well-controlled.

The Security Department is staffed by the following officer ranks: One Major, 2 Captains, 9 Lieutenants, 15 Sergeants and 260 Correctional Officers (grades 1-5).

Additionally, the Audit Team noted that security is established and maintained

because of the minimum designation of the facility and the fact that the inmate population has two years or less on their sentences as defined by the classification system, that the average length of stay is 180 days, the custody, control and supervision exercised by staff. This has contributed to a low number of assaults, no forced moves, limited use of chemical agents and a low number of grievances as documented on the Significant Incident Summary. (The Significant Incidence Summary will be addressed later in the report but suffice it to say, for the security section, the Hutchins Unit with its large population and high inmate turnover, had no numbers on the SIS table that were out-of-line, or revealed any “red flags”).)

Environmental Conditions

There are 10 major buildings at the Hutchins State Jail, major construction is metal. Each dormitory building has its own recreational yard with appropriate areas for sports, exercise and general recreation. All areas of the facility are smoke free. Sanitation and cleanliness is a high priority and it was noticeable to the Audit Team that living areas were clean and well maintained.

The facility meets ACA standards providing sufficient furnishings, air flow, adequate shower, toilet/urinal and sink ratios, and unencumbered space requirements. Natural lighting is not available to some areas specifically some dayrooms and some dorm areas do not meet the ACA standards with respect to natural lighting. The large population does cause for excessive noise levels and by the institutions own admission, it does not meet the appropriate decibel level for ACA compliance. Additionally, it was very cold (for Dallas) and the heating of dormitory space was noticeably inconsistent. Some dorms were very warm and others comfortable. These issues were discussed with the administration.

Housekeeping plans are in place and with the supply of inmate labor for maintenance, cleanliness and sanitation, the facility has a clean, neat, and well-organized appearance.

Sanitation

The overall cleanliness and sanitation in the Hutchins Unit was appropriate/audit ready and presented an orderly, neat appearance. Cleaning schedules were available in all of the areas; it was apparent that regular cleaning schedules were followed. Inspections were done on a daily, weekly and monthly basis. Documentation indicated that the deficiencies cited during regular inspections were corrected quickly.

Landscaping was minimal but not inappropriate for the prison setting. Litter was almost none and the Audit Team noted that general sanitation is constantly “policed” by staff and is a very high priority at the Hutchins Unit.

Fire Safety

Fire safety is maintained/inspected by the Risk Management section of the TDCJ. Moreover, the Texas State Fire Marshall has delegated to the TDCJ, the authority and responsibility for annual fire inspections and reports. This system seems to be working but obviously with so many prisons and the lives of staff and inmates, the responsibility cannot be over-emphasized.

The fire safety program/alarm system is a Fire Watch Plan appropriately monitored on a shift by shift basis and inspected weekly, monthly and annually. It was noted by the Audit Team that the original alarm system of 72 enunciators and 296 smoke detectors is not operational and is replaced with the Watch System. The Team does suggest review of this situation and maybe address a supplement such as "house" smoke alarms in dormitories and/or secluded areas of the facility or other appropriate fire alert complimentary system..

Flammable, toxic and caustic materials are controlled, well maintained and appropriately inventoried. Nine safety storage cabinets are located and secured in appropriate locations within the Hutchins Unit. Central inventory and control of these flammable, toxic and caustic materials is a highlight of good management and supervision. This is to be noted later in the highlights section of the report.

The Institutional Risk Management coordinator has a positive and cooperative relationship with all departments and makes sure all fire logs, inspections, and fire safety codes are maintained in accordance with the Texas Department of Criminal Justice Risk Management Office as delegated by the State Fire Marshal's Office.

Local Fire Rescue is within minutes of the facility located in the same industrial/community area, and all appropriate agreements and review of fire plans are shared with this local authority.

Food Service

The first thing the audit team noticed in the kitchen was the cleanliness and organization. The appropriate supervision of the inmates contributed to this fine operation.

A food service manager IV and 10 staff manage the Hutchins Unit food service department. A licensed dietician approves the menus and the menus are planned on a 30-day cycle. Inmates are allowed 20 minutes to eat and can refuse any portion of the meal they do not want. Offenders with special medical needs are coordinated in medical and given appropriate substitutes. The team ate a meal with the inmates and found it to be tasteful and appealing in presentation. The kitchen/food service department employs/works about 200 offenders on assigned shifts.

As with Fire/Safety, Health and Sanitation inspections are delegated to the Texas Department of Criminal Justice, Risk Management, this authority and

responsibility is assigned through a Memo of Understanding with the Department of Health. The Risk Management section is maintaining and conducting the mandated weekly, monthly and annual inspections, but as with any food service operations “you’re only as good as your last meal”. The Audit Team is pleased to note and repeat as indicated above, that the meal was good.

Medical Care

Comprehensive health care services are provided to the 2103 (average daily) offenders housed at the Hutchins State Jail through a legislatively established partnership between the Texas Department of Criminal Justice and the University of Texas Medical Branch at Galveston. The partnership is governed by the Correctional Managed Health Care Committee (CMHCC). The health services clinic is staffed with licensed professional health care staff 16 hours per day Monday – Friday and 12 hours per day on weekends and holidays. During the hours the clinic is not open, licensed professional health care staff are on-call for emergencies.

Access to Care

For routine medical, dental and mental health care needs, an offender submits a written sick call request by placing it in one of the eight designated receptacles on the Hutchins Facility – one outside each of the two offender dining rooms and six in the Administrative Segregation and housing areas. The sick call requests are collected each morning, date/time stamped and triaged by qualified credentialed health care staff.

For urgent health care needs, an offender may request that a security officer notify Health Services by telephone on his behalf. A qualified health professional makes the determination whether the offender should come to the medical department immediately or submit a sick call request.

Emergency health care is accessed either by a security officer/employee notifying Health Services by telephone and medical staff responding to the scene with emergency equipment/supplies or by a security officer/employee escorting the offender to the medical department, as the situation dictates.

Offenders are educated during the intake process on methods of accessing health care.

All members of the Health Services and the security staff are trained on the procedures for obtaining emergency medical care and responding to emergencies.

Intake Screening

The Hutchins State Jail receives an average of about 358 offenders from county

jail each month. A member of the health services staff completes an initial health screening on all offenders immediately upon arrival from county jail. The initial screening identifies any acute or current health-related conditions or requirements. Offenders with immediate health care needs, or those taking medications, are referred to the facility medical department for further evaluation and treatment on the day of arrival. Offenders reporting current suicidal ideation, urgent complaints, or who exhibit severely disturbed behavior are immediately evaluated by a qualified mental health professional.

Chronic Care

Each offender with a chronic disease has an Individual Treatment Plan developed and documented in his medical record by a qualified health practitioner within 30 days of identification and/or diagnosis of the disease.

Mental Health Services

Three full-time masters level mental health clinicians and a psychiatrist provide outpatient mental health services, consisting of screening assessment, individual counseling, case management, crisis intervention, psychiatric evaluation and medication management.

Dental Services

A full-time dentist, half-time dental hygienist, and two full-time dental assistants provide for the routine and emergency dental needs of the Hutchins offender population.

The medical unit was very good. The area was spacious, clean, amply staffed and organized. Suggestions were made to: place a sign on the pharmacy door – “This door to remain locked at all times”, place trash can lids on trash cans in exam rooms, place Bio-Hazard bags and trash cans in all exam rooms, add an additional AED on opposite end of compound for additional coverage.

The staff was knowledgeable, professional and very enthusiastic.

Sharps/syringe and medication control was accurate. Sanitation and safety was adequate. Sick call and grievance process was normal and clearly explained to offenders. Mental health and dental services were accurate. The medical folders were complete and easy to process. The medical outcome measures were within normal limits.

Also impressive was the more than adequate space for providing services.

Recreation

The Offender Orientation Handbook forthrightly states that offenders will be

provided the opportunity for outdoor exercise. To this end, a recreation yard is attached to each housing unit with a basketball court, a pavilion and athletic equipment.

Dayroom and leisure activities are also available- television, reading, correspondence and other limited activities help occupy the offenders free time. A special note, TDCJ has recently added telephone use to the general population through contractual telephone service. The telephone operation is carefully administered by administration and security.

Religious Programming

The religious program is managed and directed by a full-time ordained/certified Chaplain and assisted by numerous volunteers from the community.

A large chapel, The Chapel of Hope, is located inside the compound. The chapel has offices, training/prayer rooms, library area and a large chapel/service area. This, as with many chapels, has been built by volunteer donations and services.

A Chapel Schedule is routinely published along with a description of programs. The following twenty-six programs are offered to the general population: Voyager, Overcomers, Life After Prison, New Life Behavior, Operation Timothy, Christian Basics, Promise Keepers, Protestant Worship Service, Catholic Worship Service, Jumah Prayer Service, Bridges to Life, Arabic Class, First Contact Family Ministry, R.O.D. 1 (New Beginnings), R.O.D. 2 (New Foundations), R.O.D. 3 (New Freedoms), R.O.D. (Spanish), Anger Solutions, Experiencing God in Spanish, Spanish Salvation, Intercessory Prayer, Taleem, Jehovah Witness, Mormon Studies, Onesimus, Operation Redound and Kairos Ministries.

As can be seen from the above listing, there is ample and extensive opportunities for the offenders and in the Audit Teams opinion, a real vision of hope within the Chapel of Hope.

It should also be noted that within the dormitory setting the Chaplain and his volunteers have established, with administrative approval and oversight, a faith based dormitory in dorm E-4. This program was visited by the Audit Team and it was immediately evident to the team that the living area, inmate behavior, staff-inmate interaction revealed a high level of discipline, organization, cleanliness, and exceptional optimism.

Offender Work Programs

All offenders have been assigned a job. Texas does not pay prisoners to work but does award time and privileges to those who work. Work assignments include; food service, laundry, maintenance, janitors, teacher's aide, full time students, offender clerks, field squads, community service and assignment to the Drug and

Alcohol Program (which will be further addressed under Social Services).

Academic and Vocational Education

The Hutchins Unit has a large educational program headquartered in G-Building and as with all Texas Department of Criminal Justice Schooling, this program is headed and under the auspices of the Windham School District. The Windham School District (WSD) was established by the Texas Legislature as an entity separate and distinct from the Texas Department of Criminal Justice, with the Texas board of Criminal Justice serving as the Board of Trustees for the WSD. It is the policy of the Board that the WSD shall provide academic, as well as career and technology education, to eligible offenders incarcerated within the TDCJ. The establishment and mission of the District is: "The mission of the Windham School District is to provide appropriate educational programming and services to meet the needs of the eligible offender population in TDCJ and reduce recidivism by assisting offenders in becoming responsible, productive members of their communities".

In keeping with the above mission, the following is a list of opportunities at Hutchins State Jail:

EA Testing – Administered to incoming offenders without a current Educational Achievement (EA) score.

Literacy – Work on earning their GED (offenders under 21 must enroll in 6 hours of academic classes).

Changes – Offenders must be within 2 years of voted release to qualify for this 60 day program (assists with re-entry into the free world). State Jail offenders are eligible for placement as well. Completion requires 180 or more hours.

Cognitive Intervention – Involves changing the criminal addictive way of thinking to pro-social constructive productive thinking that will meet their needs over time.

Parenting – Provides information and teaches skills to become a better parent. Six weeks to complete and three hours per day.

BCIS (Business Computer Information Systems) – 300 hour vocational class (2 ½ - 3 months to complete).

CAD (Computer Aided Drafting) – 450-600 hour vocational class (6-6 ½ months to complete).

College Sales Marketing Associate Certificate – 18 college credit hour program designed to prepare students for careers in selling and marketing, with emphasis on the foundations of marketing and effective communication.

Classes (Mon.-Fri.) – Morning – 6:00-9:00, 9:15-12:15; Afternoon – 12:30-3:30, 3:45-6:45

Vocational Classes (Mon.-Fri.) – 6:00 a.m. – 12:00 p.m.

College Classes (Mon.-Fri.) – Times vary per semester

Social Services

Social Services can and does cover a wide spectrum of inmate/offender services, programs and attention. From their first arrival at the Hutchins Unit the offender is assisted, reviewed and classified. Intake begins with photo ID, Testing (Health to Education), Interview and specifically of interest in this section, review and interview by one of the Sociologists in the intake unit.

In addition to the normal security, education, religious, health, work and identification programs, of special interest to the Audit Team were:

The Drug and Alcohol Program

The Safe Prisons Program

The Re-integration for Offenders Program (RIO)

The Prisoner Re-entry Initiative (PRI)

The DAAP is a controlled substance abuse, education program that is offered to the population (over 200 hundred offenders participating) at Hutchins under the parent company Turning Point Inc. The Turning Point, Inc. provides education/treatment for substance abusing dependent offenders as contracted with TDCJ. The mission of Turning Point, Inc. is "to provide effective evidence-based, client-centered outpatient and residential substance disorder treatment with an emphasis on the 'best practices' and the family unit. Accessibility and responsiveness to our clients is imperative".

The Safe Prisons Program has been established state wide by TDCJ to prevent Sexual Abuse and Rape Avoidance. The goal is Zero Sexual Assaults and "Achieving a safe environment for all through positive change by all". This program and pamphlets are presented to the inmate on arrival at the Hutchins Unit.

Project RIO is the governor's statewide plan to successfully reintegrate ex-offenders into the community by offering a linkage system between training and service and job placement in the local communities.

The PRI Pre-Release program is a 90 day voluntary program that assesses an inmate's reentry needs and provides him with the resources that connect him back to the community. This is the inmate's chance to take advantage of the resources that can assist him with: employment opportunities; job readiness training; life skills training; housing referral; substance abuse issues; mentoring; anger management; education; counseling and parenting. PRI, an inmate Networking Resource Guide.

Visitation

Visitation is provided to inmates for two hours on weekends. Each offender is allowed two visitors per visit. Children under 16 may visit without being counted as the second visitor. With a large inmate population from Dallas and Tarrant

counties (Ft. Worth) and only eleven miles from downtown Dallas, the visiting area is generally full but with the two hour time limit and the easiness of visitation (in terms of location), needs and opportunities are being met. Space and supervision is minimally adequate thus the Audit Team suggests continued review of policy by the administration (i.e. extended hours, weekday and evening visits, especially as inmates approach their release dates).

Library Services

Library services are available for the inmates daily by dorm assignment. Individual dorms are scheduled on a daily basis. There is adequate space and resources in this area. A Law library is available from Tuesday through Saturday at scheduled hours. Access is provided to all inmates. A staff of three operate the services to include not only the reading and legal material but documentation and notary services.

Laundry

It was evident to this Audit Team, when examined on tour, that the Laundry was clean, neat and well supervised. There are six institutional size washers and dryers. Offenders are provided two sets of clothing and all offenders are provided with a daily change of socks, underwear, change of pants and shirts each working day but not less than three times a week. The inmate clothing was observed to be clean and appropriate to the climate. Laundry equipment was found to be in good working order.

F. Examination of Records

Following the facility tour, the team proceeded to the Warden's Conference Room to review the accreditation files and evaluate compliance levels of the policies and procedures. The facility has no notices of non-compliance with local, state, or federal laws or regulations.

1. Litigation

Over the last three years, the facility had no consent decrees, class action lawsuits or adverse judgments.

2. Significant Incidents/Outcome Measures

The Audit Team reviewed the Significant Incident Summary Report, Outcome Measures for Health Services and Grievances and observed the numbers were consistent with the level of security and the mission of this facility with no major concerns. Specifically the Audit Team did review the number of Medical referrals as a result of injuries but with the larger population, various job assignments, and the turnover of the inmate population, in our professional

opinion were within expected limits. The one suicide in November 2008 was also reviewed and again in the Audit Team's professional opinion, staff and the administration are managing and supervising appropriately.

Grievances were also reviewed and the Audit Team finds that the Hutchins Unit uses this process both to help with communications and administration of the facility and clearly there are no "red flags" that reveal any significant problems/issues.

3. Departmental Visits

The Audit Team members visited and/or revisited the following departments to review conditions relating to departmental policy and operations:

<u>Department Visited</u>	<u>Person(s) Contacted</u>
Security	Captain K. Sessions Captain S. Scott Lt. D. Hale Lt. E. Smith Lt. C. Hernandez Officer L. Gilmore, CO IV Officer J. McDonald, CO V Officer V. McKinney, CO III Officer G. Davis, CO III Officer C. Davis, CO IV Officer T. Pagitt, CO IV Officer N. Oparaeke, CO IV Officer M. Brown, CO V Officer Gonzales, CO III Officer S. Hayes, CO V Officer L. White, CO V Officer S. Greene, CO V Officer C. Christian, CO V Officer N. Shanawong, CO V Officer S. Harley, CO V Officer A. Simpson, CO IV Officer Byrd, CO V Officer Olatunde, CO IV Officer Rayford, CO IV Officer James, CO V Officer Kalibe, CO V Officer Adewale, CO IV Officer Alli, CO V Officer Elliott, CO III Officer Faleti, CO III

	Officer Gutierrez, CO IV Officer Hamilton, CO V Officer Oberinde, CO III Officer Ogbonnaya, CO III Officer Olloh, CO IV Officer Onyekaba, CO IV Officer Ross, CO IV Officer Wallace, CO V Officer B. Stradford, CO V Officer S. Shanawong, CO V
Medical	Ms. T. Murphy, Practice Manager – Medical Ms. I. Bello, Medical Assistant Ms. M. Whitley, Supervisor Psychotherapist Mr. D. Duncan, Psychotherapist Mr. I. Smith, Psychotherapist Mr. S. Reddy, Psychiatrist Ms. T. Bentley, Medical Ms. K. Weaver, Medical Ms. C. Waymier, Dental
Maintenance	Mr. J. Pugh, Maintenance Mr. R. Delaney, Maintenance Mr. A. Wormly, Maintenance
Food Service	Captain W. Whiddon, Food Service Manager
Mail Room	Ms. B. Wilson, Mail Room Supervisor
Human Resources	Mr. Larry Kines, HR Specialist II Ms. T. Rodriguez, HR Clerk Ms. C. Hernandez, HR Clerk
Community Service	Lt. M. Tutt, Community Service Officer A. Muzzicato, CO V, Community Service
Classification/Count Room	Ms. P. Meshack, Case Manager/Classification Supervisor Ms. T. Chapman, Clerk II
DAAP Program	Mr. O. McGrady, Supervisor Turning Point Ms. D. Christopher, Assistant Turning Point
Safety Officer	Mr. Storie, R., Supervisor Safety Officer
Unit Supply	Ms. K. Moore, Unit Supply

Chaplain	Chaplain Bartholf
Intake/Sociology	Ms. G. Miller, Intake Clerk Ms. V. Eldridge, Intake Photo I.D. Ms. S. Burnett, Intake Tester Ms. S. Hill, Sociologist
Commissary	Ms. L. Alaniz, Commissary Supervisor
FTO	Ms. L. Roberts, FTO
STG	Sgt. Burns, STG Ms. M. Vessey, STG
Education	Mr. J. Owens, Education Ms. K. Love, Education Ms. L. Jones, Education Ms. R. Darby, Education
Grievance	Ms. A. Scott-burger, Grievance Investigator Ms. S. Goolsby, Assistant
ACA Coordinator	Ms. D. Johnson, ACA Coordinator
Law Library	Ms. P. Cauley, Law Library
OIG	Mr. R. Morris, OIG Investigator
Laundry	Captain K. Skeens Officer K. Minks, Laundry

4. Shifts

Audit team members were present on all shifts.

a. Day Shift (5:45 a.m. – 2:30 p.m.)

The team was present at the facility during the day shift from 8:00 a.m. to 6:00 p.m. The shift transitioned smoothly. Staff was professional and knowledgeable in their areas. Inmates were busy with their schedules and no concerns were noted. Inmates were observed cleaning the building and performing their work assignments. Inmate morale and attitude were satisfactory. Staff morale was good to very good.

b. Evening Shift (1:45 p.m. to 10:30 p.m.)

The team was present at the facility during the evening shift from 2:45 p.m. to 10:30 p.m. All team members were present on this shift. Staff morale was good to very good. Inmate attitude was satisfactory.

c. Night Shift (9:45 p.m. to 6:30 a.m.)

The team was present at the facility during the night shift from 9:45 p.m. to 11:15 p.m. The team attended the staff shift briefing, talked with the staff and reported to post assignments with officers. Staff was positive, professional and informative. Staff morale was good to very good. Inmate attitudes were satisfactory.

5. Status of Previously Non-compliant Standards/Plans of Action

The team reviewed the status of standards previously found non-compliant, for which a waiver was not granted, and found the following: of the eight standards non-compliant on the compliance tally initial report of 2007, this Audit Team found four still in non-compliance

Standard # 4-4062 TDCJ policy does not require physical exams

Standard # 4-4149 There are no windows in some dorm cells

Standard # 4-4150 Offender housing does not meet the decibel level of 45 dBA (best achieved was 46dBA, this for night levels)

Standard # 4-4270 TDCJ policy does not allow recreation for solitary status and four additional were compliant for this re-accreditation

Standard # 4-4082

Standard # 4-4254

Standard # 4-4432

Standard # 4-3385

G. Interviews

During the course of the audit, team members met with both staff and offenders to verify observations and/or to clarify questions concerning facility operations.

1. Offender Interviews

The team talked with over 100 inmates. The comments from them were generally positive. Inmates made comments about staff being supportive and available to address their concerns and issues. They stated their needs were being met and no serious concerns were expressed.

2. Staff Interviews

The team talked to over seventy-five staff. Staff was supportive of the Institution.

The morale was good and there was a team approach throughout. Staff appeared to enjoy their jobs and support each other. No serious concerns were noted. Staff had attended trainings and felt they received support when needed and/or requested.

3. General Discussion/*Highlights*

The Audit Team would like to acknowledge the following areas of noted professionalism, expertise, inmate/staff/public benefit:

Faith Based Dorm in E-4 and volunteers

Safe Prisons Program

Training class – Professional Ethics

The Eleven Community Work Squads

The Human Resources (Personnel) Department

The responsiveness of the Maintenance Department

The control, inventory, and supervision of toxics, flammables and caustics

H. Exit Discussion

The exit interview was held at 12:00 noon in the Chapel of Hope with the Senior Warden and about 150 staff and visitors were in attendance.

The following notable persons were also in attendance:

Mr. Brian Rodeen, Regional Director

Mr. Tim Ault, Regional Coordinator ACA

Mr. Tommy Gattis, Director ACA Monitoring

Several wardens from the region and special guest commissioner

Ms. Janice Loard with the TDCJ Commission

The chairperson explained the procedures that would follow the audit. The team discussed the compliance levels of the mandatory and non-mandatory standards and reviewed their individual findings with the group.

The chairperson expressed appreciation for the cooperation of everyone concerned and congratulated the facility team for the progress made and encouraged them to continue to strive toward even further professionalism within the correctional field.

COMMISSION ON ACCREDITATION FOR CORRECTIONS
AND THE
AMERICAN CORRECTIONAL ASSOCIATION

COMPLIANCE TALLY

Manual Type	Adult Correctional Institutions, fourth edition	
Supplement	2008 Standards Supplement	
Facility/Program	Texas Department of Criminal Justice	
Audit Dates	January 11-13, 2010	
Auditor(s)	James (Jim) Curington, Chairperson Joe Costello, Member Fletcher Morgan, Member	
	MANDATORY	NON-MANDATORY
Number of Standards in Manual	61	470
Number Not Applicable	5	41
Number Applicable	56	427
Number Non-Compliance	0	5
Number in Compliance	56	422
Percentage (%) of Compliance	100%	98.88%
<ul style="list-style-type: none"> • Number of Standards minus Number of Not Applicable equals Number Applicable • Number Applicable minus Number Non-Compliance equals Number Compliance • Number Compliance divided by Number Applicable equals Percentage of Compliance 		